

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79277

Kazuyuki KUWADA, et al.

Appln. No.: 10/752,700

Group Art Unit: 2891

Confirmation No.: 5921

Examiner: Matthew W. Such

Filed: January 8, 2004

For: SEMICONDUCTOR DEVICE AND PROCESS FOR PRODUCING SEMICONDUCTOR
DEVICE

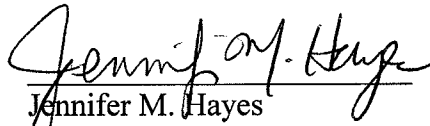
SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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Respectfully submitted,


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CUSTOMER NUMBER

Date: December 6, 2007

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket
Number

Q79277

In re Application of: Kazuyuki KUWADA, et al.

Application No.: 10/752,700

Filed: January 8, 2004

For: SEMICONDUCTOR DEVICE AND PROCESS FOR PRODUCING SEMICONDUCTOR DEVICE

The owner*, NITTO DENKO CORPORATION, of one hundred (100) percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of **prior patent** No. 6,023,096 as the term of said **prior patent** is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

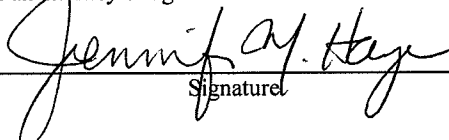
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is found invalid by a court of competent jurisdiction;
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
has all claims canceled by a reexamination certificate;
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is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.


Signature

December 6, 2007

Date

Jennifer M. Hayes

40,641

202-293-7060

Typed or printed name

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Telephone Number

☒ Terminal disclaimer fee under 37 CFR 1.20(d) or authorization to charge said fee to Deposit Account No. 19-4880 is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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